**IN THE HIGH COURT OF UTTARANCHAL**

**AT NAINITAL**

**Criminal Misc. Application No. 686 of 2006**

1. Harveer Singh S/o Chauhal Singh
   R/o Lane No. 18
   Makan No. 10 Turner Road
   Clamant Town
   District Dehradun
2. Bablu @ Navin Kumar S/o Sri Harveer Singh
   R/o Lane NO. 18
   Makan No. 10 Turner Road
   Clamant Town
   District Dehradun
3. Vinod Kumar S/o Sri Rampal Singh
   R/o Asima Vihar Turner Road
   P.S. Clamant Town
   District Dehradun
4. Sardar Pappu S/o Sri Avtar Singh
   R/o Doaba Transport
   Guru Road
   District Dehradun
5. Sabba Sardar S/o Sri Kashmir Singh
   R/o Shakti Vihar
   P.S. Patelnagar
   District Dehradun ..... Applicants

Vs

State of Uttaranchal

Sri Lokendra Dobhal, learned counsel for the applicants
Learned A.G.A. for the State

**Hon'ble B.C. Kandpal, J.**

This petition under Section 482 Cr. P.C. has been filed by the petitioners who are facing the trial in the court of Chief Judicial Magistrate, Dehradun under Section 307 I.P.C.

2. Heard Sri Lokendra Dobhal, learned counsel for the petitioners, learned A.G.A. for the State and perused the record.

3. The record reveals that the petitioners were initially challaned under Sections 147, 323, 324, 504, 506 I.P.C. and the petitioners were granted bail in the earlier case by the court concerned. However, during the course of the investigation, the case was converted into 147, 323, 324, 504, 506 and 307 I.P.C. by the Investigation Officer and the police submitted the chargesheet against the petitioners.

4. The petitioners have thus prayed by way of this petition under Section 482 Cr.P.C. that they should not be compelled to file the afresh bail bonds and the direction be issued in the matter that the petitioners be released on bail on furnishing the same surety bonds filed by them earlier.

5. It further reveals from the record that during the investigation, the new Section 307 I.P.C. was also added in this case. Therefore, it is quite clear that the petitioners were granted bail in this case earlier for the offence under Sections 147, 323, 324, 504, 506 I.P.C.

6. I am therefore, of the view that Section 307 I.P.C. was added during the course of the investigation and the chargesheet was filed accordingly. The petitioners in these circumstances are liable to be released on bail, on the same sureties by which they filed earlier before the court concerned.

7. With the aforesaid observation, the petition is disposed of finally. The court concerned is directed to accept the same surety bonds, which the petitioners filed earlier when they sought bail in this case.

**(B.C. Kandpal, J.)**

22.08.2006
Aswal